

Item # \_\_\_\_\_

Prepared by: Gloria Kelly  
Real Estate Services

Approved by: Lisa Kelly  
Assistant County Attorney

**RESOLUTION TO APPROVE THE TRANSFER OF ROSS ROAD PARK PROPERTY, INCLUDING 8.76 ACRES OF LAND UPON WHICH THE PARK IS SITUATED AND ALL EXISTING PARK IMPROVEMENTS, EQUIPMENT AND INVENTORY THEREON, OWNED BY SHELBY COUNTY, FOR THE USE AND BENEFIT OF THE SHELBY COUNTY CONSERVATION BOARD, LOCATED AT 4890 ROSS ROAD IN MEMPHIS, TENNESSEE, TO SHELBY COUNTY GOVERNMENT WITHOUT MONETARY CONSIDERATION. SPONSORED BY COMMISSIONER MATT KUHN.**

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**WHEREAS**, Due to budgetary constraints, Shelby County Government and the Shelby County Conservation Board, are continuing to take steps to decrease their ongoing expense of developing, operating and maintaining a county-wide park system by either transferring the ownership of all existing County owned parks, located within each municipality, to the respective municipal government for its continued development, operation, maintenance and use of the parks for public outdoor recreational purposes, or by relinquishing the Shelby County Conservation Board's use and benefit rights thereto to Shelby County Government for appropriate reuse by the County or disposal of the same by the County as surplus property; and

**WHEREAS**, In 1975, Shelby County, for the use and benefit of the Shelby County Conservation Board, purchased an 8.76 acre tract of land, by Warranty Deed of record as described in the Register's Office of Shelby County, Tennessee, in the Register's Official Record Book under Instrument No. L1 8940, located on the east side of Ross Road immediately north of and adjacent to Ross Road Elementary School now in Memphis, Tennessee (municipally addressed as 4890 Ross Road), and further identified as Shelby County Tax Parcel No. 09370000160, upon which Ross Road Park has subsequently been constructed and developed by the Shelby County Conservation Board but operated and maintained since this property's annexation into the City of Memphis by the City of Memphis Division of Park Services; and

**WHEREAS**, The Board of Education of the Memphis City Schools has developed an urgent need to expand its Ross Road Elementary School to handle its existing enrollment and to prepare for projected enrollment increases; and

**WHEREAS**, Due to the unavailability of developable land adjoining Ross Road Elementary School, the Board of Education of the Memphis City Schools has requested the Shelby County Conservation Board to relinquish its use and benefit rights to this 8.76 acre tract of land known as Ross Road Park property, including its rights to all existing park improvements, equipment and inventory thereon, by transferring the same to Shelby County Government, without monetary consideration, for the County's subsequent transfer of this real and personal property to the Board of Education of the Memphis City Schools, without monetary consideration, for educational purposes; and

**WHEREAS,** The Shelby County Conservation Board at its regularly scheduled board meeting on June 16, 2009 approved a motion, by a unanimous vote, to relinquish its use and benefit rights to this 8.76 acre tract of land known as Ross Road Park property, including its rights to all existing park improvements, equipment and inventory thereon, by transferring the same to Shelby County Government, without monetary consideration, by the attached Quit Claim Deed and Bill of Sale, which are hereby incorporated by reference, to allow the County to subsequently transfer the same to the Board of Education of the Memphis City Schools for educational purposes, including but not limited to the expansion of Ross Road Elementary School; and

**WHEREAS,** It is deemed to be in the best interest of the citizens of Shelby County for the Shelby County Conservation Board to relinquish its use and benefit rights to this 8.76 acre tract of land known as Ross Road Park property, including its rights to all existing park improvements, equipment and inventory thereon, by transferring the same to Shelby County Government, without monetary consideration, to allow the County to subsequently transfer the same to the Board of Education of the Memphis City Schools for educational purposes, including but not limited to the expansion of Ross Road Elementary School.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE,** That the aforementioned transfer of real and personal property rights associated with Ross Road Park by the Shelby County Conservation Board to Shelby County Government, without monetary consideration, be and the same is hereby approved.

**BE IT FURTHER RESOLVED,** That the County Mayor be and is authorized to execute the attached Quit Claim Deed and Bill of Sale for the intended purposes, along with any other documents necessary to effect this property transfer.

**BE IT FURTHER RESOLVED,** That this Resolution shall take effect from and after the date it shall have been enacted according to due process of law, the public welfare requiring it.

By: \_\_\_\_\_  
A C Wharton, Jr., County Mayor

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Clerk of County Commission

ADOPTED \_\_\_\_\_

## **SUMMARY SHEET**

### **I. Description of Item**

In 1975, Shelby County, for the use and benefit of the Shelby County Conservation Board, purchased an 8.76 acre tract of land located on the east side of Ross Road immediately north of and adjacent to Ross Road Elementary School upon which Ross Road Park has subsequently been constructed and developed by the Shelby County Conservation Board but operated and maintained since this property's annexation into the City of Memphis by the City of Memphis Division of Park Services. Due to budgetary constraints Shelby County Government and the Shelby County Conservation Board are continuing to take steps to decrease their ongoing expense of developing, operating and maintaining a county-wide park system by either transferring the ownership of all existing County owned parks, located within each municipality, to the respective municipal government for its continued development, operation, maintenance and use of the parks for public outdoor recreational purposes, or by relinquishing the Shelby County Conservation Board's use and benefit rights thereto to Shelby County Government for appropriate reuse by the County or disposal of the same by the County as surplus property. The Board of Education of the Memphis City Schools has developed an urgent need to expand its Ross Road Elementary School to handle its existing enrollment and to prepare for projected enrollment increases. The Shelby County Conservation Board at a board meeting, on June 16, 2009 approved the transfer of 8.76 acres of land with its improvements to Shelby County Government to allow the County to subsequently transfer the property to the Board of Education of the Memphis City Schools, without monetary consideration, for educational purposes, including but not limited to the expansion of Ross Road Elementary School. Based on the above, it is hereby recommended by the Administration that the conveyance of this surplus property be approved.

### **II. Source and Amount of Funding**

No county funds required.

### **III. Contract Items**

Quit Claim Deed and Bill of Sale

### **IV. Additional Information Relevant to Approval of this Item**

N/A

Property Map  
Tax Parcel No. 09370000160

